PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007, OMB 0651-0021
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| T | RANSMITTAL LETTER TO THE UNITE DESIGNATED/ELECTED OFFICE (DO | ATTORNEY'S DOCKET NUMBER 7400-X06-152 | | | | | |
|---|---|---------------------------------------|--|--|--|--|--|
| CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/597,159 | | | | |
| | ATIONAL APPLICATION NO. INTERNATIO 2005/000437 January 18, 200 | NAL FILING DATE | PRIORITY DATE CLAIMED January 22, 2004 | | | | |
| TITLE O | FLOW RESERVOIR FOR A PAIN | | oundary LE, 2001 | | | | |
| APPLICANT(S) FOR DO/EO/US Ewald SCHMON and Peter DETTLAFF | | | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | | | |
| 1. | This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. | | | | | | |
| 2. X | This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. | | | | | | |
| 3. | This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. | | | | | | |
| 4. | The US has been elected (Article 31). | | | | | | |
| 5. | A copy of the International Application as filed (35 U.S.C | . 371(c)(2)) | | | | | |
| | a. is attached hereto (required only if not commur | icated by the Internation | nal Bureau). | | | | |
| | b. has been communicated by the International Bureau. | | | | | | |
| | c. is not required, as the application was filed in the United States Receiving Office (RO/US). | | | | | | |
| 6 | An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). | | | | | | |
| | a. is attached hereto. | | | | | | |
| | b. has been previously submitted under 35 U.S.C. 154(d)(4). | | | | | | |
| 7. | Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) | | | | | | |
| | a. are attached hereto (required only if not communicated by the International Bureau). | | | | | | |
| | b. have been communicated by the International Bureau. | | | | | | |
| | c. have not been made; however, the time limit for making such amendments has NOT expired. | | | | | | |
| | d. have not been made and will not be made. | | | | | | |
| 8. | An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). | | | | | | |
| 9. X | An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). | | | | | | |
| 10. | An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | | | | |
| Items 11 to 20 below concern document(s) or information included: | | | | | | | |
| 11. | An Information Disclosure Statement under 37 CFR 1.97 and 1.98. | | | | | | |
| 12. | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. | | | | | | |
| 13. | A preliminary amendment. | | | | | | |
| 14. | An Application Data Sheet under 37 CFR 1.76. | | | | | | |
| 15. | A substitute specification. | | | | | | |
| 16. | A power of attorney and/or change of address letter. | | | | | | |
| 17. | A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. | | | | | | |
| 18. | A second copy of the published International Application under 35 U.S.C. 154(d)(4). | | | | | | |
| 19. | A second copy of the English language translation of the | international application | under 35 U.S.C. 154(d)(4). | | | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 2213-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Page 1 of 3

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
|--|---|------------------------|--|----------------|--------------------------|--------------|
| 10/597,159 | | | PCT/EP2005/000437 | | 7400-X06-152 | |
| 1 | r items or informat NAU PRELIMINA | ion: RY REPORT ON I | PATENTABILITY | • | | |
| The fal | lowing fees have t | peen submitted | | - | CALCULATIONS | PTO USE ONLY |
| | • | | | \$300 | \$ | FIO USE ONET |
| 22. Exar | nination fee (37 C | FR 1.492(c)) | | | | |
| by IPEA | nion prepared by I: /US indicates all c. | \$ | | | | |
| 23. Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) | | | | | \$ | |
| | TOTAL OF 21, 22 | 2 and 23 = | | - 1 | | |
| Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | | |
| Total Sheets | Extra Sheets | | Number of each additional 50 or fraction RATE thereof (round up to a whole number) | | | |
| - 100 = | /50 = | | | x \$250 | \$ | I |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the eath or declaration after the date of commencement of the national stage. (37 CFR 1.492(h)). | | | | | \$ 130 | |
| CLAIMS | NUMB | ER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | | - 20 = | | × \$ 50 | \$ | |
| Independent claims - 3 = | | - 3 = | | × \$200 | \$ | |
| MULTIPLE DEPE | ENDENT CLAIM(S | (if applicable) | | + \$360 | \$ | |
| | | | | CALCULATIONS = | \$ 130 | |
| X Applicant cla | ims small entity st | atus. See 37 CFR 1. | 27. Fees above are reduc | ed by 1/2. | | |
| | ••• | | | SUBTOTAL = | \$ 65 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | | \$ 65 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | | S | |
| TOTAL FEES ENCLOSED = | | | | | ^{\$} 65 | |
| | | | | | Amount to be refunded: | \$ |
| | | | | | Amount to be charged | \$ |

| a. 🗌 | A check in the amount of \$ to cover the above | fees is enclosed. | | | |
|--|---|---|--|--|--|
| b. 🔲 | Please charge my Deposit Account No in the amount of \$ A duplicate copy of this sheet is enclosed. | to cover the above fees. | | | |
| c. X | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 500601 . A duplicate copy of this sheet is enclosed. | | | | |
| d. X | Fees are to be charged to a credit card. WARNING : Information on this form may become public. Credit card information should not be included on this form . Provide credit card information and authorization on PTO-2038. | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| | | | | | |
| SEND AL | LL CORRESPONDENCE TO: | Plore | | | |
| CUSTOMER # 27317 | | SIGNATURE | | | |
| FLEIT I BIANC 21355 I | D. BIANCO KAIN GIBBONS GUTMAN BONGINI & O P. L. EAST DIXIE HIGHWAY, SUITE 115 FLORIDA 33180 | PAUL D. BIANCO NAME 43,500 REGISTRATION NUMBER | | | |
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